

Letter to Hon. Thomas T. Cullen about modification petition hearing – February 14, 2025 – Re: Dkt. #11, 23, 27

FEB 14 2025
LAURA A. AUSTIN, CLERK
BY: B. M. Abernethy
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**RE: United States of America v. Brian David Hill;
Criminal Action no. 4:20-cr-00027, Other case no. 1:13-cr-435-1, M.D.N.C.**

ATTN: Hon. Thomas T. Cullen
CC: Asst. U.S. Attorney Drew Inman

Filed with: Clerk
United States District Court
700 Main Street, Suite 202
Danville, VA 24541

Hon. Thomas T. Cullen,
CC: Asst. U.S. Attorney Drew Inman,

I am Brian David Hill, the Defendant in the foregoing case.

Look there is a reason I am submitting a motion for a continuance. I need time for my family to seek an affordable private attorney as I believe a private attorney willing to represent me will demonstrate to this Court that Haylea Workman has lied to you and so has Drew Inman. I wouldn't be making these claims without proof. I have the proof. The audio recordings. The emails from Jason McMurray to my mother. The audio recordings of phone conversations with me and Jason McMurray all under one party consent.

The letter from Attorney Nia Vidal where she said the U.S. Probation Office did seem to acknowledge that Jason McMurray had approved the very devices which triggered the GRADE C supervised release violation. My family got me the government documents which are publicly available from the United States Sentencing Commission. I know on April 25, 2024, I was accused of a GRADE C violation, a technical violation. So they wanted to resolve that by asking for modification of my supervised release conditions. However USPO Jason McMurray had approved the very devices at issue.

I need to seek the assistance of an affordable private attorney and with the winter weather going on, the snow storms and the freezing rain, it is more difficult to get in contact with private attorneys who take federal cases and supervised release cases. I need 30 days and so I hope you grant this motion, otherwise I will file a NOTICE OF APPEAL at the hearing or file the NOTICE OF APPEAL at the Clerk's office on the day of the hearing. I will make sure I have enough time to get the pleadings to be filed at the Clerk's office at the federal courthouse and file NOTICES OF APPEAL with the Clerk before the hearing. I need the time to have a private attorney agree to be my legal counsel and then to demonstrate to this Court that evidence exists which mitigate the

offense accusations and should reduce the punishment with the mitigating evidence.

Look, you don't know me, you don't know who I am. If your judging me prejudicially because I am on the sex offender registry, you don't know why I am on it and how I got set up. I read the discovery materials in whole after I plead guilty in 2014. Me and Roberta Hill, Stella Forinash, and Kenneth Forinash all looked through the discovery materials on January 22, 2015, after I was labeled delusional and after I plead guilty. I was shocked when I read it. I saw no list of file names, no blurred thumbnails, and download dates saying between July 20, 2012, and July 28, 2013. Those dates were never refuted by the U.S. Attorney Office for the Middle District of North Carolina. The computer was seized on August 28, 2012. I think the reason they put that download date range was to match my confession statement on August 29, 2012, but that proves a false confession instead because eleven months of that download dates range on eMule file sharing program, I did not even have my computer but was my computer in the custody of Mayodan Police Department and State Bureau of Investigation in North Carolina. That was what I saw in the discovery materials concerning the guilt elements of my criminal case. The problem is the discovery evidence was contradicting itself. If I have had a good lawyer instead of the Federal Public Defender like Eric David Placke, then my criminal case would have been dismissed instead of a guilty plea.

The United States Government has lied about me and has misrepresented the facts for a long time since the Obama Administration DOJ targeted me in 2013. Prior to that I was targeted by Righthaven LLC in a copyright infringement lawsuit in Colorado federal court with lawyer Steve Gibson who worked with Michelle Obama at a law office or law school prior to Righthaven LLC existing. Obama connections.

I hope you will actually listen to the filed audio recordings as they do prove quite a lot in terms of prima facie evidence. The audio recording of the U.S. Probation Officer supervisor, he did save the recording to my cell phone after they wanted me to give my phone to them on April 25, 2024. There was no unauthorized recording because after my phone was taken, he quickly noticed the cell phone had a recording application and he stopped the recorder on my cell phone but saved the recording to my phone. If you want to verify it then ask the U.S. Probation Office to send this probation officer to testify at my hearing. You have his picture. See Case 4:20-cr-00027-TTC, Document #32, Filed 02/10/25, Page 9 of 12, Pageid#: 47. You see the face of this guy, and you have the date of when he showed up at my apartment. Ask him if he saved the recording to my phone because I have three different audio recording files on April 25, 2024. So it is fractured because of the emotional stuff like me having an autism meltdown so I left my apartment with my cell phone after the probation officers returned it back to me and I stopped the recording and then came back recording a third time that day.

Look I noticed after they were done with my phone, I went back to record the conversation after my phone was returned to me and I had noticed the recording was saved to my phone. It was authorized by the supervisor U.S. Probation Officer on April 25, 2024. He could have deleted it, and he could have lectured me about the Virginia wiretapping and eavesdropping statute but he did not because he knew the circumstance was my cell phone got seized taking my control of my cell phone away from me. **He knew I wasn't trying to wiretap them, they took my phone from me, they seized my phone temporarily. He knew the circumstance so the entire recording was authorized by the bald-headed supervisor in Document #32, pg. 9.** Then when I started the second audio conversation recording, he said: **"You're welcome to record me, you don't need to turn off the...flip off the app. You're free to do that if you want to."** Ask him yourself if you don't believe the audio recordings which are physical evidence on CD-ROM discs which have Audio tracks on them in AUDIO CD format. Those discs can be played on any traditional CD Player, boombox, and even on a computer if it has a CD-ROM drive. It's prima facie evidence. Please allow this.

Look, I ask for empathy when you make decisions in my cases (incl. lawsuit) as the judge. I ask that you rule with fairness, impartiality, and without prejudice.

Arguably: What if you were in my shoes and the U.S. Attorney lied about you and doesn't want you to defend yourself with mitigating evidence/proof. Would you be okay with being lied about by the opposing counsel??? What if you had actual evidence like I do which can mitigate the offense accusations/offense conduct??? I'm just saying there has to empathy in my criminal case. Doesn't matter what I been accused of. Judge me based on the facts, the law, and on the evidence from both parties of the case. That is procedural due process of law if not substantive due process of law. My mom told me about Q in 2018 while I was in jail, about Qanon, and their saying: Where We Go One, We Go All. **Arguably, if I am not given justice in my criminal case but a one sided decision, then this will happen to every American whether they are accused of a sex charge over possession or of any crime at all. If I am given injustice, then every American is given injustice.** If I can't be allowed to prove my innocence and I am not allowed to have mitigating evidence, then no American does. You got to have empathy.

Roger Stone has been in contact with me before he was charged in Federal Court. I written a sentencing letter for him. See United States v. STONE, 1:19-cr-00018, (D.D.C. Nov 18, 2019) ECF No. 262. That was my letter, with my name on it.

Years after Roger Stone was fully pardoned (Ex Parte Garland, 71 U.S. 333 (1866)), Roger has text messaged me recently and had given me his view on my federal

criminal case. **He said: "I have all the information I need to know that what they're doing to you is illegal and wrong."** Yes, Roger Stone who knows Donald Trump and was fully pardoned by Donald J. Trump said those words. Yes the President of the United States, Donald John Trump. Our U.S. President right now. They know about me.

He knows my criminal case is illegal meaning it is unconstitutional and was without merit. Roger Stone feels this way about my case. I'm sure there will be investigations into my criminal case soon and Trump will likely have investigations into those who lied before the federal judges in my case. Everyone knows I been wrongfully convicted. It's no secret here. There is an organization called Justice for Brian D. Hill of USWGO Alternative News run by my family and friends. It's no secret what I have gone through.

Tulsi Gabbard was sent evidence about my case in 2023 including my documentary: The Deep State Can Frame You the Documentary on a Video Disc, I sent more evidence to her in 2024, and then she decided to wanted to become Director of National Intelligence (DNI). I am sure she is starting investigations as well into my case and whether any corrupt Deep State actors or actresses were ever involved in my state and/or federal criminal cases. I have the right as an American citizen to ask for investigations into my criminal case. I have a right to ask for investigations because I am innocent.

Look, I just want a fair hearing. Every American deserves a fair impartial hearing without bias. Otherwise I will likely need to file a motion asking for a new judge in my case due to evidence of prejudice, bias, and partiality. See 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge. By law and by due process of law, by our Constitution, all parties to a case whether civil or criminal deserve an impartial trier of fact, that is the law.

The Government did lie about me and there is evidence proving that. This cannot be denied as any fact when there exists mitigating evidence. Mitigating evidence means it should reduce the punishment of my charge and conviction, or even the DOJ can have me acquitted after a thorough investigation once the Deep State is removed from office.

I don't like being lied about by the Government, your honor. Nobody should lie about me in a court of law. That isn't how Article III courts are supposed to work. I am an American citizen and even criminal defendants are entitled to certain inalienable rights. The right to due process cannot be taken away simply because I was convicted wrongfully of a crime. A plea agreement doesn't give the Government the right to freely lie about me when mitigating evidence disproves one or more lies. If the Government

can lie about me after one plea agreement, then there is no justice. Does a guilty plea agreement give the government the right to lie about me in any way they wish??? Does being a virgin on the Sex Offender Registry gives the government the right to lie about me in any way they wish??? I thought lawyers were required to tell the truth in court? Is lying acceptable for a lawyer in a court of law??? Is the truth required in a court of law??? Is telling the truth a sin in a court of law??? Am I allowed to tell the truth in a court of law??? Is telling the truth illegal??? Is filing mitigating evidence not acceptable in an Article III Court??? Is evidence even considered evidence in a court of law???

I ask humbly that as an honorable judge, you rule with fairness and without prejudice and without bias. Please allow my lawsuit to continue as well. I have done nothing but provide evidence, credible citations, and proof. At least it should mitigate the punishment. Evidence is evidence. The law is the law. God bless you. Please rule with fairness.


Signed

Brian D. Hill

Brian David Hill

Defendant

310 Forest Street, Apartment 2

Martinsville, VA 24112

(276) 790-3505

Former news reporter and founder of USWGO Alternative News

U.S.W.G.O.

JusticeForUSWGO.wordpress.com or JusticeForUSWGO.NL